

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

RIGEL HARRIS,

Plaintiff

v.

**THOMAS J. HENRY, individually;
THOMAS J. HENRY LAW, PLLC;
ROBERT T. HERRERA, individually;
and GRAY PICTURE, LLC,
*Defendants***

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Case No. 1:22-cv-00366-DAE

ORDER

Now before the Court are Thomas J. Henry and Thomas J. Henry Law, PLLC's Motion to Compel, filed May 1, 2024 (Dkt. 70), as supplemented (Dkt. 86); Plaintiff's Opposed Motion to Compel Discovery Responses from Defendants Thomas J. Henry and Thomas J. Henry Law, PLLC, filed May 14, 2024 (Dkt. 72); Thomas J. Henry and Thomas J. Henry Law, PLLC's Opposed Second Motion to Compel, filed June 12, 2024 (Dkt. 75); the associated response and reply briefs; and the Joint Advisory for July 3, 2024 Discovery Hearing, filed July 1, 2024 (Dkt. 85) by Order of the Court (Dkt. 80).¹

The Court held a hearing on the motions on July 3, 2024, at which all parties appeared through counsel and had an opportunity to be heard on the pending motions.²

¹ By Text Order entered July 2, 2024, the Court granted Defendant Robert T. Herrera and Gray Picture, LLC's Motion to Join and Adopt Co-Defendants Thomas J. Henry and Thomas J. Henry Law, PLLC's Motion to Compel and Second Motion to Compel (Dkt. 84).

² The Court also heard arguments from Harris and the Henry Defendants on Plaintiff's Opposed Motion to Compel Deposition and for Sanctions against Defendants Thomas J. Henry and Thomas J. Henry Law, PLLC, filed June 26, 2024 (Dkt. 87), but does not address that motion in this Order because Defendants have not yet filed their response, which is due on this date. By Text Orders entered May 2, May 16, June 13, and July 2, 2024, the District Court referred the motions to this Magistrate Judge for disposition, pursuant to 28 U.S.C. § 636(b)(1)(A), Federal Rule of Civil Procedure 72, and Rule 1(c) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas.

For the reasons stated from the bench during the hearing:

- Thomas J. Henry and Thomas J. Henry Law, PLLC's Motion to Compel (Dkt. 70) and Second Motion to Compel (Dkt. 75) are **DENIED**. Counsel for both parties indicated at the hearing that they continue to confer regarding production of additional documents addressed in the Henry Defendants' Second Motion to Compel mutually agreeable in scope, and the Court encourages them to do so.

- Plaintiff's Opposed Motion to Compel Discovery Responses from Defendants Thomas J. Henry and Thomas J. Henry Law, PLLC (Dkt. 72) is **GRANTED IN PART and DENIED IN PART**. The Motion is **DENIED** as to items 1-4, 6, 11, 23, 29, 31, 33-35, 38-39, 44-46, and 54-55 on the Henry Defendants' Privilege Log and **GRANTED** as to the remaining documents. The Henry Defendants are **ORDERED** to produce the remaining documents without redaction by the discovery deadline of **July 12, 2024**.

IT IS SO ORDERED.

SIGNED on July 3, 2024.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE